

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
SOUTHERN DIVISION**

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
v.) Case No. 12-3079-CR-DGK
)
EZRA ROBERT GRAMM,)
)
Defendant.)
)

**REPORT AND RECOMMENDATION
OF THE UNITED STATES MAGISTRATE JUDGE**

This matter comes before the Court on the issue whether the defendant may presently be suffering from a mental disease or defect for the treatment of which he is in need of custody for care or treatment in a suitable facility. On November 18, 2013, at the request of the defendant, the Court ordered a psychological evaluation (Doc. 37). Randall Rattan, Ph.D, Forensic Psychologist at the Federal Correctional Institution in Fort Worth, Texas (FCI-Fort Worth), evaluated the defendant between December 27, 2013, and February 24, 2014. Dr. Rattan's report was submitted to the Court on April 7, 2014 (Doc. 40). The undersigned held a hearing on May 1, 2014, on the question whether the defendant suffers from a mental disease or defect that requires his custody for care or treatment in a suitable facility pursuant to 18 U.S.C. § 4244. Defendant appeared in person with counsel. No evidence was presented, other than the report of Dr. Rattan, which already appeared in the record.

After thorough evaluation, Dr. Rattan determined that the defendant "is not presently suffering from a mental disease or defect that requires his custody for care or treatment in an inpatient psychiatric facility." He opined that "the defendant appeared to be well managed at this

evaluation facility and it is the opinion of this examiner that he can be treated at similar institutions such as FCI Fort Worth with a combination of counseling and psychotropic medication management.”

Based upon the opinion of Dr. Rattan, which is the only evidence before the Court on the question of the defendant’s mental status, the undersigned respectfully **RECOMMENDS** that Defendant Ezra Gramm be found to not presently suffer from a mental disease or defect that requires his custody for care or treatment in an inpatient psychiatric facility.

IT IS SO ORDERED.

DATED: June 24, 2014

/s/ *David P. Rush*
DAVID P. RUSH
United States Magistrate Judge